

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS
WESTERN DIVISION

DAVID COX,

Plaintiff,

v.

RYAN MARINI, SEAN BORDWELL,
AND JOHN DOE,

Defendant.

Civil Action No. 05-11608-GAO

**PLAINTIFF'S CERTIFICATION
PURSUANT TO LOCAL RULE 16.1(D)(3)**

Pursuant to Rule 16.1(D)(3) of the Local Rules of the United States District Court for the District of Massachusetts, Plaintiff David Cox and his counsel affirm that they have conferred: (1) with a view to establishing a budget for the costs of conducting the full course – and various alternative courses – of litigation; and (2) to consider the resolution of this litigation through the use of alternative dispute resolution programs such as those outlined in Local Rule 16.4.

Respectfully submitted,

DAVID COX

/s/ David Cox

By: David Cox

COUNSEL FOR DAVID COX,

/s/ Damon Hart

Deborah S. Griffin (BBO No. 211460)

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LAWYERS' COMMITTEE FOR CIVIL RIGHTS
UNDER THE LAW

294 Washington Street, Suite 443

Boston, MA 02108

(617) 482-1145

Dated: April 19, 2006

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Plaintiff, David Cox, hereby propose the following pretrial schedule:

Proposed Scheduling Conference Agenda

- A. Discussion of discovery plan and motion schedule;
- B. Discussion of status of settlement discussions; and
- C. Setting of date for pretrial conference and tentative trial date.

Discovery Plan

- A. All discovery to be completed by -----;
- B. Dispositive motions to be filed by -----.

Certification of Conference by Counsel and Client

- A. See attached.

DAVID COX

/s/ David Cox

By: David Cox

COUNSEL FOR DAVID COX,

/s/ Damon Hart

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Dated: April 13, 2006

CERTIFICATE OF SERVICE

I certify that on this ____ day of April, 2006, a true copy of the foregoing document has been furnished by UPS overnight courier to the following attorney of record:

Anthony R. Zelle
Brian P. McDonough
Zelle McDonough, P.C.
Four Longfellow Place, 35th Floor
Boston, MA 02114

AND

Mr. Ryan Marini
Pro Se Defendant
157 Alcott Road
Concord, MA 01742

Damon P. Hart